IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8589 of 2005

Between:

1 Sri Atluri Ravi, S/o. A.Rajarao,
C/o. A.Rajarao, General Manager, I.D.P.L.Town Ship, Hyderabad-37.
2 Smt. Domakonda Sarojini, W/o. D.Narayana,
Hindu, 12-1-377, Seetarambagh, Hyderabad.
3 Sri. Ch. Ramakrishna Rao, W/o. Subbarao,
Suryalayam Street, Tanuku, W.G.District.
4 Smt Tadiknoda Jhansi, W/o. Venkateswara Rao,
Hindu, G-2, Golconda Mansion, Vivekananda Nagar complex, Kukatpally, Hyderabad-72.
5 Smt. Mathinirmalananda, W/o. B.Joseph,
Sushilkumar Srivastav, aged 53 years, Employeee, r/o. 8-3-214/2/2, Srinivasa Colony,
Hyderabad-890.
6 Smt. K.Bhadrikali (Radhika), W/o. K.Chander Rao,
Hindu, Sujatanagar (po), Kothagudem Via, Khammam District.
7 Smt. T.Satyavathi, W/o. T.Sreemannarayana Prasad,
Hindu, House Hotel, Vitrite Glass Works, D-113, I.D.A. Jeedimatla, Hyderabad.
8 Smt. G.Jayaprada, W/o. Ramarao,
C/o. L.I.C.LOffice, Gudivada, Krishna District.
9 Sri. T.Anand Rao, S/o. Hanumantha Rao,
11-1-357/1.Mylaragadda, Secunderabad.
10 Smt. Pushpa Deve Dhariwal, W/o. Dulat Raj Dhariwal,
6-3-674, Panjagutta Circle, Hyderabad.
11 Sri. N.Sivaramanachary, S/o. N.Sivathanu Achary,
H.No.1, Lalbahadru Colony, Tirumalagiri, Secunderabad.
12 Smt. N.Sakuntala W/o. Venkata Krishnaiah,
H.No.10-2-317/A/1, Vijayanagar Colony, Hyderabad-457,
13 Smt. Sandhyarani Patnaik, W/o. J.K.Patnaik,
H.No.1-2-2234,11/49, Arvindanagar,

Domalguda, Hyderabad-29.

14 Smt. S.Indira, W/o. M.Sambasivan,
Bolaram, Secunderabad.

15 Smt. Abida Begum, W/o. S.G.Dastagir,
R/o. 18-5-632, Outside Aliabad, Hyderabad-53.

..... PETITIONERS

AND

1 The District Collector, Rangareddy District,
Lakadikapool, Hyderabad.

2 The District Registrar, Rangareddy District, Moosapet,
Hyderabad.

3 The Sub-Registrar, Medchal, R.R.District at Medchal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of to issue a writ of mandamus, declaring the circular instructions vide Ref.Rc.No.E2/406/2001 dt.06-02-2001 issued by the 1st respondent as illegal, arbitrary and violative of Art. 14 and 19 of the Constitution of India and ultravires of the Registration Act and consequently direct the 3rd respondent to receive the sale deeds executed by the petitioners in favour of any intending purchasers and register the same in accordance with law.

Counsel for the Petitioners: MR.K.RAMESH BABU

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.8589 OF 2005

O R D E R:

This writ petition is filed seeking a declaration that the circular instructions dated 06-02-2001 issued by the first respondent are arbitrary and illegal and for a consequential direction to the third respondent to receive the sale deeds executed by the petitioners in favour of the intending purchasers and register the same in accordance with law.

The petitioners state that they are the owners and possessors of different plots in Sy.Nos.227/1 and 228/A situated at Bahadurpally Village, Qutubullapur Mandal, Rangareddy District, having purchased the same under different registered sale deeds. It is stated that they intend to sell the said plots, in order to meet their financial needs, but they are unable to do so since the third respondent is not entertaining the registration of any transactions in respect of the land-in-question based on first respondent's Circular Instructions dated 06-02-2001.

The learned Counsel for the petitioners while relying upon a decision of this Court in W.P.No.4364 of 2005, dated 11-3-2005, in which an identical question with regard to the land in the same Sy.No.227/1 of Bahadurpally village was considered, submits that there cannot be any objection for registering the sale deeds since there is no notification under Section 22-A of the Registration Act, 1908 (for short, 'the Act').

The learned Government Pleader for Revenue appearing for the respondents, under instructions, states that there is no notification under Section 22-A of the Act so far as the land-in-question is concerned.

The Writ Petition is accordingly disposed of with a direction to the respondents to receive the documents-in-question as and when presented by the petitioners in respect of the land-in-question and to process the same, in accordance with law, without taking into account the Circular Instructions dated 06-02-2001. It is made clear that in case there is any other objection for registering the documents-in-question, it is open to the respondents to raise such objections but the same shall be communicated to the petitioners within a period of two weeks from the date of receipt of a copy of this order. No costs.

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(G.ROHINI, J)

Date: 26-04-2005

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To

1 The District Collector, Rangareddy District,
Lakadikapool, Hyderabad.
2 The District Registrar, Rangareddy District, Moosapet,
Hyderabad.
3 The Sub-Registrar, Medchal, R.R.District at Medchal.

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,

A.P., Hyderabad (OUT)

5 Two CD copies

5 One CC to MR.TUHIN KUMAR